

P.O. Box 942883
Sacramento, CA 94283-0001



January 26, 2010

2nd NOTICE OF CHANGE TO TEXT AS ORIGINALLY PROPOSED

The full text of the amendments to the California Code of Regulations that concern Adult Parole Discharge Reviews is provided in its original single underline and strikethrough format. In addition, changes to this original text as provided in the 15-Day Renotice (September 25, 2009 – October 14, 2009), are indicated by bold **double underlining** for additional added text and bold ~~**double strikethrough**~~ for deleted text to the originally proposed text. The 15-Day Renotice comment period closed on October 14, 2009.

In this 2nd 15-Day Renotice, changes to the above described text are indicated by bold **dotted underline** for additional text and bold ~~**dotted strikethrough**~~ for additional deleted text.

As determined by the California Department of Corrections and Rehabilitation, the attached text contains the following changes:

Existing subsections 3270(a) and (b) are renumbered (b) and (c) respectively.

New subsection 3270(a) is adopted. Due to recent special reform legislation which created Penal Code section 3000.03, the Department in a separate action in order to be in compliance with PC section 3000.03, has adopted in-part through emergency regulations, Section 3505, Non-Revocable Parole (NRP) (effective January 25, 2010). This allows the Department to establish a form of parole that will reduce the danger posed by prison overcrowding and preserve public safety by focusing limited parole supervision resources on parolees who have been screened and determined to not have a high risk to re-offend. Therefore, to correctly reflect in these regulations those inmate/parolees released to NRP, new language has been adopted in new subsection 3270(a) providing that inmate/parolees released to NRP as provided in section 3505, are excluded from any of the provisions of this Article 15, Discharge.

In addition, in the authority and reference citation at the end of section 3270, PC section 3000.03 has been added as a reference and reference to PC section 5054 has been relocated for correct numerical placement.

For reference, a copy of Title 15, Division 3, Section 3000 (definition of non-revocable parole) and Section 3505 are attached (Renotice Attachment - 1/26/10).

The 2nd 15-day comment period on these changes shall close on February 12, 2010. Submit any comments to Timothy M. Lockwood, Chief, Regulation and Policy Management Branch, Department of Corrections and Rehabilitation, P.O. Box 942883, Sacramento, CA, 94283-0001; fax to (916) 255-5601; or by e-mail at rpmb@cdcr.ca.gov before the close of the public comment period. Comments must be received no later than 5:00 p.m. on February 12, 2010.

Only those comments relating directly to the enclosed post-hearing changes that are indicated by bold **dotted underline** and bold **~~dotted strikethrough~~** will be considered.

Original signed by:

TIMOTHY M. LOCKWOOD, Chief
Regulation and Policy Management Branch
Department of Corrections and Rehabilitation

Attachments